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RIGHT OF SEARCH.

An examination of the question, now in discussion, between the American and British Government, concerning the RIGHT OF SEARCH. By an American.

When we doubted, we took the trick.—*London Times, Jan. 1842.*

(Concluded.)

But after all, what is this distinction, which Lord Palmerston and Lord Aberdeen have discovered, and which is now to give British officers the right, in a time of profound peace, to enter and search American ships? We are distinctly told by both these statesmen, in their correspondence with the American minister, that they do not assert this claim of search with a view to ascertain the objects of a voyage, and to seize the vessel, if found engaged in the slave trade. Both admit in terms, that her American character being once established, her cargo, whether men or merchandize, is beyond the reach of the armed cruiser; and that she must be permitted to prosecute her voyage, however nefarious her object may be.—But both equally contend, that the flag at the mast head, or the piece of bunting, as Lord Palmerston rather contemptuously styles this emblem of sovereignty, furnishes no evidence of national character, and shall furnish no protection against the entrance of British force. That they have a right to board all vessels upon the ocean, examine their papers, and satisfy themselves respecting their nationality. Lord Aberdeen, indeed, consoles the government of the United States, by the assurance, that their vessels are not entered as THEIR vessels. "Nor is it as American, that such vessels are ever visited." Poor consolation this. If Tom is knocked down in the streets, it is little comfort to him to be told, I did not knock you down as Tom, I knocked you down as Jack.—The answer to all such pretensions is very simple, and cannot have escaped the sagacity of the British statesmen, who have resorted to this strange process of justification. You commit the act at your own hazard. If you enter, a ship or knock down a man, believing the ship or man is not what appearances indicate, and your suspicions being correct, if the law, international in one case, national in the other, gives you the right to use this violence, then you may avenge the act, and justify it. But if you err in these premises, you are responsible for the consequences.

The municipal law of every country is filled with illustrations of this principle. It is common sense, applied to the affairs of men in their social relations, as members of an organized community. Applied to the affairs of nations, in their commercial intercourse with one another, upon the ocean, it is the same common sense, then called Public Law. If a father or master meet his son or servant, he has a right to examine him to ascertain if he is violating his orders. This we may call the visitation of persons. The right cannot be denied. Now, the son or servant may disguise himself, and assume the appearance and dress of the son or servant of a neighbor, it may be, his livery. But does this possibility of abuse give to the superior the right to stop in the street all persons he may choose to suspect, with or without cause, to be his son or servant? and not even violating the law of the country, but his own domestic law? Certainly not. If he examine forcibly, he does so at his peril. Borne out by the result, he is but in the exercise of his right. Deceived, he is a trespasser, and responsible for his conduct.

We consider it unnecessary to pursue these illus-

trations further. It would be but a work of superelevation.

What then is the process, by which this new principle is attempted to be justified and maintained?—Lord Palmerston thus lays down the doctrine, which is henceforth to become a part of the great maritime law: The United States flag or bunting, as his lordship calls it, shall exempt no vessel (whether American or not) from search except "when that vessel is provided with papers, entitling her to wear that flag, and proving her to be United States property, and navigated according to law." And with a view to ascertain if she is entitled to the flag she bears, and if she is sailing according to law, a right to enter is claimed for every British cruiser into every American vessel, wherever they may meet. And this right of entry is called not a search, but a visit.

Lord Palmerston, it will be remarked, lays down as a part of the principle, that the vessel must be sailing according to law, that is, for a purpose not prohibited by law, and Lord Aberdeen, who shows more regard for bunting than Lord Palmerston, concludes, that, "doubtless the flag is PRIMA FACIE evidence of the nationality of the vessel." A strange designation this, by the by, for a national pavilion, and we had almost said a profane one, to be applied by an English Statesman, the minister of a country, whose METEOR FLAG is associated with so many glorious recollections, and apostrophised in so much glorious poetry. And after all, this emblem of sovereignty and accompaniment of victory is but a piece of bunting! Alas! for the prestige of great names, when reduced to this matter of standard!

It will not be denied, that this is the first solemn occasion upon which this pretension has been put forth to the world. No elementary writer has advanced it; no jurist has asserted it; no judge has ruled it. The universal exemption of all vessels in time of peace, from "search or visitation," the very words, as we have seen, of Lord Stowell, has heretofore been an uncontested and incontestible principle of the law of nations; and he added the authority of his decision to the opinions of his predecessors, the commentators upon the great code of maritime law. When therefore the two British Statesmen, who have assumed, or upon whom has fallen, the task of interpolating this new principle into that code, or as the Turks would express it, who are working the way for the new law, undertake to justify this pretension, by argument, preparatory to its being maintained by force, we may fairly call upon them to establish their position by undeniable proofs, or by the clearest illustrations. The burthen of discussion is cast upon them; while the nations of the earth, at the same time judges and parties, are watching the progress of the controversy, anxious, it may be, to see, if this new STEP, as the "Times" may well term it, is to be attended with a new struggle, and if both are to be gained, as so many have been gained before them.

In carefully analysing the correspondence, the arguments in support of this claim may be briefly summed up in these. Without it, flags may be sometimes abused. Without it, English cruisers may sometimes be prevented from boarding their own vessels, and thus the municipal laws of England may be violated. Without it, the treaty stipulations for the suppression of the slave trade can not be so well executed, as with it. And the traditions of the British navy, and Lord Aberdeen believes, of other navies, are in favor of its assertion. This is a brief summary of the defence of this measure.

As to what may be termed the quarter deck law, we

shall dismiss it with a very cursory examination. Mr. Stevenson calls in question the exactitude of the fact, at any rate to the extent to which it must reach, in order to support such a claim as this. That vessel may have been overhauled and entered in time of peace, under peculiar circumstances, we do not doubt. But it is evident, that this practice has never prevailed in any considerable degree, most certainly not sufficiently so, to render it authoritative, as otherwise it would have given rise to examination and consideration among the elementary writers, and to discussion among the governments, which, from time to time, must have been affected by it. No trace of this appears, and the conclusion is inevitable, that its use has never been established, nor its abuse sufficiently prevalent nor serious, to render it the subject of diplomatic intervention. If Great Britain had, as she had not, in the exercise of her naval strength, pushed this usage beyond the point we have indicated, certainly it would be with a bad grace, she could claim that her own violence should be written down in the law of nations, and constitute the rule for their future government. We go farther: vessels will no doubt be hereafter spoken and entered, and no one will complain, because no indignity will be intended, nor will any injury be done. Strictly speaking, a trespass may be committed, but the matter will pass off, without exciting the least sensation, either among the parties or their governments. How different this is, from a claim to enter and search all ships, at all times, and in all places, we leave to the common sense of mankind to judge. We say in all places because though one half only of the Atlantic Ocean is tabooed (as the South sea islanders express it) at the present moment, yet the same power, which has laid this interdict upon a part of one of the mightiest works of God, may extend it as soon as its interests dictate, from pole to pole, and from east to west. If that is not already done, it is not, that the principle is not sufficiently elastic to cover such a space, but only that the time of harvest has not yet come. We are aware of our offence against the canons of criticism in the metaphor, but we may be pardoned the trespass, in consequence of the force of the illustration. With respect to the abuse, to which this claim of immunity, made by the United States for their vessels, may be liable, it is not difficult to show how greatly it has been exaggerated. This seems to be the favourite argument of Lord Palmerston, and is repeated, under a somewhat different view, by Lord Aberdeen. Both these statesmen appear to think, that the United States claim a perfect immunity for all vessels bearing their flag, and as an illustration of the absurdity of such a pretension, Lord Aberdeen asked Mr. Stevenson, if he supposes the Government of Great Britain would permit "British vessels and British capital to carry on, before the eyes of British officers, this detestable traffic, etc. by hoisting the American flag?"

This conclusion is no corollary from the premises laid down by the United States.—They advance no such pretension. It is the immunity of their own bona fide vessels they seek to secure. They do not deny to the cruisers of all the powers of the earth, the right to enter and search the vessels of their own country, and of every other country which may concede the privilege; though the flag of the United States may fly at all their mast heads. But they do deny the right of any such cruisers to search **THEIR** vessels, and here lies the root of the whole matter. Certainly if a British or French frigate encounters a vessel at sea, which is most assuredly a British or French vessel, endeavoring to conceal her nationality, under the American flag, such frigate is justified in boarding her, and in disposing of her as the laws of the country may provide.—But this is done at the risk of the boarding ship. If the result proves that the suspicion was well founded, then the commanding officer will be scatheless. He will have

done his duty to his own government, and no injury to another. But if he has suffered himself to be deceived, then he has violated the rights of a foreign power, and his sovereign must be responsible for the consequences. He may still have done his duty to his own government. That will depend upon the strength of the evidence upon which he acted. But he has committed an injury against another, and for that injury, atonement may be demanded. But here we come to the practical operation of these general principles, and it is that branch of the subject alone, which is worthy serious consideration.

The two British Statesmen attempt to support their position by pushing principles to their extreme. This may do in the schools, but its place is not in active life, and least of all in the affairs of nations. A British officer meets a vessel bearing an American flag, but which he has the strongest reasons to suspect to be British, and engaged in the slave trade. He boards her, conducts himself with perfect propriety, ascertains his error, and retires, without any injury. He is a trespasser, but no government would ever think of complaining in such a case. A perpetual right to stop, to search and to seize, is one thing. A casual act of trespass, conceded to be such excused by peculiar circumstances, and immediately acknowledged and atoned for, is another. The latter may be pardoned. The former is intolerable. The commander of the boarding vessel is precisely in the condition of a sheriff's officer, who, with a writ against A. arrests B. Now, on a trial in an action of trespass, which B might institute for this assault and battery, what would be the measure of damages which an intelligent jury would apply to the case? They would adopt precisely the same rules we have already laid down in the case of the commander. If the officer had strong reasons to mistake the identity of B, and to suppose he was A, and if he had conducted himself with perfect propriety, and had really committed no injury, he would be dismissed with nominal damages—damages which, while they asserted the great principle of liberty, would yet be perfectly valueless in their amount, leaving the ill-advised complainant to pay the costs.

Such is the illustration of our maritime subject. In this manner the principle is saved, and flagrant abuses prevented. And why the naked principle is incalculably valuable to the United States, is obvious. Upon it turns the claim of impressment. The exercise of that claim, as we have seen, is the consequence of a legal right to enter. So long as this entry is illegal, so long the American seamen are, by British confession, safe from British power. We may illustrate this principle still farther, and it is well to do so, because Lord Aberdeen pushes the immunity, even to the protection of piracy; and some of the English journals have expressed a very patriotic fear of the result. Let us examine the matter. The cruiser of a civilised power approaches a region where a pirate is known to have recently been committing depredations. His appearance is described and he is anxiously watched. A vessel with the flag of the United States heaves in sight, and she bears a great resemblance to the corsair. She is entered, and the mistake is discovered. The act would be pardoned; and especially, as the crime is proscribed by the law of nations, a law which all powers should support and enforce; and it would not be difficult to suppose a case, whether the public ship of a nation might be attacked, and under such strong presumption of her being a pirate, as to excuse, though not to justify, the aggression.

When piracy was prevalent in the West Indies, some years since, the smaller vessels of the American squadron employed in its suppression, were often disguised to deceive the pirates. If one of them had been mistaken by a French or British frigate for a piratical cruiser, she would have been attacked; but the matter would have been amicably arranged,

as was the controversy respecting the action between the American frigate the "President" and the British sloop of war the "Little Belt," which occurred in profound peace, but was the result of mutual misunderstanding. Now, Lord Palmerston and Lord Aberdeen do not claim the right, in time of peace, under any circumstances, to search a vessel of war, in order to ascertain her nationality. Here the bunting rides inviolate. But does it follow, that because a pirate hoists the flag of a Christian power, and assumes the appearance of one of her armed ships, he is therefore beyond the reach of his pursuers? Or that all the French vessels of war upon the ocean may be searched by a British ship, because the latter chooses to suspect they are pirates? Such pretensions would be absurd. The public vessel is inviolable in principle, by universal consent, as the private vessel was, till this pretension arose. The immunity of the one has not prevented the suppression of piracy, nor would the immunity of the other prevent the suppression of the slave trade. Neither ought to be forcibly entered by a foreign power; but if their guise is assumed, and in such a manner as to deceive the honest cruiser, circumstances might occur to justify him in attacking the one, and entering the other.

But pursuing the analogy, and pushing the principle, as Lord Palmerston pushes it, it is evident, that if the possible abuse of their flag, for the purpose among other things, of carrying on the slave trade, is a proof, that the merchant vessels of the United States may be stopped and searched; then their armed ships may be also stopped and searched, or every corsair, who may in like manner hoist their flag, may roam the ocean untouched. We leave the dilemma where the argument originated. With our views, there is no difficulty. These we have sufficiently explained.

Piracy has been put down, without any violation of freedom of the seas, or of the independence of nations. The slave trade may be put down also, with the same sacred regard to those great principles. If occasional trespasses are committed, in attaining the one object or the other, let these be judged, as they arise. Sufficient unto the day is the evil thereof. Let violence not be encouraged and shielded in advance, and one of the best works of man, the Code of opinion, by which the strong is restrained, and the weak protected upon the ocean, be broken up, and its fragments scattered to the wind.

We come now to the consideration of this principle, as the British Statesmen lay it down, and more particularly in its application to the slave trade. We have seen that Lord Palmerston, who certainly expresses himself less guardedly than Lord Aberdeen, qualifies his general postulatam, concerning the search of the vessels of the United States, by this limitation, that there must be circumstances justifying the suspicion, that they are not American property, and that their voyages are illegal. Lord Aberdeen goes farther. He claims no right of search "except under the most grave suspicions and well founded doubts of the genuineness of its (the vessel's) character." And he too requires, that the object of the vessel should be "illegal."

The most grave suspicions and well founded doubts of what, Lord Aberdeen? Of violating your municipal laws? If that proposition is meant and can be maintained, then England is much nearer universal domination upon the ocean, than the most jealous observer of her maritime "steps" has ventured even to insinuate. She has only, by statutory provision, to declare, as she already declares in principle, that the employment of her native born subjects in the American marine, military or commercial, is illegal; and she can then enter the ships of the United States, and seize their crews, without resorting to the sophism, (we speak as a logician, not offensively,) which actually casts an air of ridicule upon this grave question, and by which the true object is attained, under a pretended one.

She has only to declare piratical the transportation of the merchandise of France, as she has declared piratical the slave trade, and then every French ship sailing the ocean, every other one, indeed, may be stopped and searched, to ascertain if they carry the wines of Bordeaux, the silks of Lyons, or the rich and elegant manufactured articles of Paris. From such a search, to seizure and condemnation is but another step; and the tri-colored bunting of France, and the striped bunting of the American Union, might disappear from the face of the seas.

Let no man say that such things will not happen. Upon this subject we can no more assert what is probable, than we can predict what will happen. No step in this onward progress can be more irreconcilable with common right and common sense, than was the paper blockade of half Europe, without even the pretence, that the interdict was supported by an armed vessel, if it were but a gun boat, to watch one-hundredth part of the coast, thus pronounced to be hermetically closed.

But what constitutes this illegality, we are nowhere distinctly told. Indeed, the whole reasoning of Lord Aberdeen, upon this branch of the subject, is marked with a confusion, certainly not the characteristic of that accomplished statesman, but the result of the position he felt it his duty to take. He says in one part of his despatch, "that the present happy concurrence of the States of Christendom (Qu. some of the States of Europe?) in this great object, not merely justifies, but renders indispensable the right now claimed and exercised by the British government." This, it will be observed was written before the conclusion of the late treaty, between five of the European powers, upon this subject, and therefore has relation only to the previous isolated treaties; though that circumstance in our view, whatever it may do in that of Lord Aberdeen, changes nothing in the right of the parties to this controversy. That all the powers of Christendom have not conceded this right of search, will not be disputed; for we suppose the United States may fairly claim to belong to that great brotherhood of nations. Is it possible that Lord Aberdeen means all his words clearly express? Will he openly assume the principle, that the concurrence of some of the powers of Europe, great or small, in a measure, even when avowedly and specifically confined to themselves, immediately and *ipso facto*, changes the law of nations, and sanctifies the principles of the new measure? If some future Napoleon should arise, and by a general continental convention, attempt to exclude England from the markets of the world, would this act of violence become legal? Would it impose upon that country the moral duty of submission, because the "happy concurrence of some of the States of Christendom in the great object" had not only legalized, but had rendered the process, by which their decree was to be enforced, not merely justifiable, but indispensable?—This is no reasoning for the nineteenth century, and we can no longer occupy ourselves with it.

If the right of search is here placed, as we see upon the obligation created by the partial treaties for the suppression of the slave trade, there are passages in the despatches of both Lord Palmerston and Lord Aberdeen, where it is placed upon the municipal law of England. These are to be found, where Lord Aberdeen invokes the necessity of examining American ships, to ascertain, if they are not "British ships with British capital," carrying on a traffic "which the law (the municipal law of England,) has declared to be piracy." And Lord Palmerston says, that without this right of searching American vessels, "even the laws of England might be set at defiance by her own subjects." And so they may be evaded in a thousand ways, and have been evaded by means furnished by ships both English and foreign. And why confine this claim of search to the evasion of the laws, respecting the slave trade? Why not extend it to all cases, which may happen, and stop and seize upon

the ocean all vessels, suspected, or pretended to be suspected of aiding in such evasion? And why should not a French cruiser overhaul and search any merchantman foreign as well as French, which, it may be pretended has on board a young conscript, fleeing from the conscription? This branch of the discussion has already extended too far. We do not believe it is necessary for any intelligent reader, that we should farther push the refutation of the pretension, that a British boarding crew may enter any American vessel she meets with a view to give effect to the British laws. The time may come, and perhaps will come, if this step is gained. But before then many strange events may come to pass.

But it will be seen also, that this illegality which we are in search of, is created, not only by treaty stipulations and municipal laws, but by the laws of nations. To the last authority, the United States avow their entire submission, and what that ordains, they will cheerfully obey. Lord Aberdeen says, that the fraudulent abuse of the American flag "constitutes that reasonable ground of suspicion, which the law of nations requires in such a case." Let Lord Aberdeen put his finger upon that part of the law, which applies to "such a case," and all opposition to the pretensions of his country is at an end. But it is the fair provision, which is demanded, and not a substitute, created by a false analogy. This doctrine is not to be supported by transferring to this subject principles and practices applicable only to a state of war, and to acts, which are then "illegal," by the unanimous consent of mankind.

But after all, supposing the law to be laid down, that American vessels may be searched, because their voyages may be sometimes "illegal," what are the circumstances which justify the exercise of this measure, agreeably to the British doctrine. We repeat the rule, as stated by Lord Aberdeen. No vessel bearing the American flag ought to be visited by a British cruiser, except "under the most grave suspicions, and well founded doubts of the genuineness of its character." What is the practicable application of this rule? Why, American vessels are visited in the language of Lord Aberdeen "in certain latitudes and for a particular object." That is to say their very appearance in "certain latitudes" is a "grave suspicion," and thence follows the entry, the detention, the search, and it may be, the seizure! If this is not reversing the natural order of things, and casting the burden of proof upon the injured party, we confess our inability to understand the subject. This amounts to a complete blockade of the Southern ocean, from Rio Janeiro to the Bight of Benin. How long it may continue, and how much farther it may extend, we leave to history to tell.

There is a tendency in the communication of both the British Secretaries of State for Foreign Affairs to consider the African slave trade as piracy—This point established and all opposition to this claim of search, in case of *bona fide* suspicions, would cease. Lord Palmerston speaks of "slave trading pirates" and Lord Aberdeen of "piratical advantages."

But this is loose language, except so far as it has reference to municipal laws. The slave trade is nefarious, unjustifiable, and ought every where to be proscribed, and rigorously punished. But it is one of that class of acts, whose criminality depends upon the laws of different countries. A nation or a combination of nations may call it piracy, and apply to their own citizens the punishment, usually prescribed for that crime. But this change of names changes nothing in the nature of things, and piracy is now, by the law of nations, what it has been for ages past.

As to the *status* of slavery itself, it were idle to contend it is illegal by the common consent of mankind. It has existed since the earliest ages of the world, and there is probably no nation, ancient or modern, among whom it has not been known. By some, it has been abolished, and where it yet survives,

we hope its condition has been ameliorated. This is certainly true of the United States. A general disposition is gaining ground to improve the situation of this unfortunate class of society. This is felt in the Southern States of the American confederacy, as well as elsewhere, and he who would judge of the treatment of the slaves in that region, by their treatment in the West India colonies, would do the Southern planter egregious injustice. The best proof of this assertion is the fact, disclosed by the statistical tables, published by the American government, that in some of the slave States, the slaves increase faster than the white population; and another fact not less significant, is the rate of their natural augmentation. This is found to be between twenty-five and thirty per cent. in each decennial period. A very respectable countryman now here, in whose statement we place full confidence, has just informed us he has examined the subject, and finds, though there are more than fourteen millions of free white persons in the United States, and but two millions and a half slaves, yet the number in the latter class, over one hundred years of age, is almost double that in the former.

We are no slaveholder. We never have been.—We never shall be. We deprecate its existence in principle, and pray for its abolition every where, where this can be effected justly, and peaceably, and easily for both parties. But we would not carry fire, and devastation, and murder, and ruin into a peaceful community, to push on the accomplishment of the object. But after having visited the three quarters of the old continent, we say before God and the world, that we have seen far more, and more frightful misery, since we landed in Europe, and we have not visited Ireland yet, than we have ever seen among this class of people in the United States. Whatever may be said, there is much of the patriarchal relation between the Southern planter and the slave. And as to the physical distress, which is seen in Europe, resulting from a want of food, and from exposure to a rigorous winter, without adequate clothing, we believe it to be so rare, as not to form a just element in the consideration of this matter. But the subject of the emancipation of two millions and a half of human beings, living among another population, of different race and color, and with different habits and feelings, is one of the gravest questions which can be submitted to society to solve. It can be safely left only to those who are to be so seriously affected by it; and there it is left by the Constitution of the United States. It is a matter with which the general government has no concern.

And so with respect to the slave trade. It is a traffic which can be traced back to the time of Jacob, whose son was sold into Egypt; and down, in some form or other, during the successive ages, which have intervened, to the last century, when by treaty arrangements with Spain, England obtained, as a great commercial favor, the privilege of supplying the Spanish colonies with slaves,* and to the present, when after many years of bitter opposition, the English parliament voted the abolition of the slave trade; but when some of the greatest names† in England

*The first article of the treaty of Madrid of 26 March 1713 is thus conceived, "whereas the assiento, which was formed with the Company Royal of Guinea established in France to furnish negro slaves for the West Indies has expired, and the Queen of Great Britain wishing to enter into this commerce, and in her name the English Company, etc.

†In looking over Clarkson's history of the abolition of the slave trade we find, that the cabinet of Mr. Pitt was divided upon this subject, and the sincerity of that distinguished man in the support of it was generally doubted. And Clarkson states that from the known sentiments of the King, the veto of the bill was feared.

Among the opponents we find the Duke of Clarence,

were found in the minority. These statesmen, by their votes, not only pronounced the slave trade to be legal and expedient, but moral also, so far as that consideration formed, at that time, a motive of legislative action. That it is illegal, by the great code of public law, no statesman, nor publicist, nor well informed man will seriously contend. Thanks to the advancing opinions of the age, its atrocity is generally acknowledged, and the obligation of Christian States to extirpate it, is almost every where felt and obeyed. But it is not permitted, in order to attain a great good, to commit a great evil. In order to break up this traffic, to break down the barrier which centuries have been rearing, and by which the weak are every where protected against the strong, the peaceful against the warlike. The law of nations is but general opinion, illustrated by able jurists, and sanctified by time, and by universal acquiescence. Touch it rudely, and the whole fabric will disappear, leaving the nations of the world, in their mutual relations, as they existed in the most barbarous ages.

Most wisely and most impressively therefore, did Lord Stowell say, "No nation has the right to force their way, for the liberation of Africa, by trampling upon the independence of other States, on the pretence of an eminent good, by means that are unlawful; or to press forward to a great principle, by breaking through other great principles, which stood in their way."

Words of deep wisdom and solemn warning; and lamentable it is, that their obligation has scarcely outlived the able and venerable judge, by whom they were pronounced. And above all it is to be deplored, that the first public practical disavowal of these sentiments should come from a country whose law they were ruled to be.

We have already adverted to the opinion of the Duke of Wellington, in connexion with that of Lord Stowell. This we did from memory, but at the moment of writing this part of our remarks, we have been enabled to refer to a debate in the House of Lords 10 July, 1839, where his sentiments are fully disclosed. With that spirit of frankness and sagacity, which are not the least eminent, among the qualities of that eminent man, he predicted the issue to which this pretension must lead. He said, "the clause in question made it lawful to detain any vessel whatever, on suspicion, on the high seas, and demand their papers; and the persons exercising such authority were moreover indemnified for all the consequences. Was it intended, that the vessels of any power in Europe might be searched, and afterwards allowed to proceed on their voyage, whether we had treaties with those powers or not? Such a law would be a perfect novelty in the legislation of this country, and the House ought to well pause before they adopted it."

Again, on the 15th August, the Duke remarked, "It is well known, that with the United States we have no convention; there were indeed engagements, made by diplomatic notes, but nothing went to show the least disposition on their part to permit the right of detention and the search of papers; and if there was one point more to be avoided than another, it was that relating to the visitation of vessels belonging to the Union. He warned government not to proceed, but rather to issue an order in council or a declaration of war."

We quote the remarks of Lord Brougham because they are equally honorable to himself, to truth, and to the American government. "It could not be disguised, that we were peculiarly situated, with respect to

(afterwards William the Fourth,) who called the supporters of the bill fanatics and hypocrites. Lords Thurlow, Rodney, Sheffield, Eldon, St. Vincent, Liverpool, Sidmouth, (who was Mr. Addington,) Hawksbury, (who was Mr. Jenkinson,) Mr. Dundas, Col. Tarleton, Major Scott, etc.

the United States; because we had not effected any treaty, conferring such right of search. It should be borne in mind, that the United States, at the very earliest period they were enabled to do so by the federal union, had adopted the abolition of the slave trade, and were in fact the first to make it piracy for any one of its subjects to carry it on. The government of the United States was not so strong as a monarchical government, nor had it such direct and powerful means of controlling its subjects." And he remarks with respect to the slave trade, "but the people might not after all be answerable for the purposes, to which they were devoted; not more so, certainly than an English ship builder, who sold vessels constructed in his yard, which were afterwards despatched to the coast of Africa."

We shall not add a word to the authority of these high names. Their decisions need no commentary from us.

Keeping in view the proceeding course of discussion, it is obvious, that upon the principles heretofore received among mankind, if the United States should peremptorily refuse all co-operation, in any effort to put down the slave trade, they would be responsible only to the public opinion of nations, and to Him by whom nations rise and fall. It would be but the consequence, says the London Sun, "of our former proceedings, which have made it impossible for the Americans to admit this claim. By committing injustice on our own people, we have bred up our officers in arbitrary habits, which have made them arbitrary to other nations, and the consequences debar England from following out her humane wishes to suppress the slave trade."

But the United States refuse no such co-operation. They have interdicted, as we have seen, this trade to their citizens, and have provided exemplary punishments for the transgressors. They have, for many years, kept a squadron upon the coast of Africa, to aid in its suppression, and they are now making arrangements for its augmentation. We do not affect to deny, that a general right of search would assist the objects which all the Christian powers are seeking to attain. It would be an additional means of detection. But such a right is not at all indispensable to success. Much has already been done, and the work is going on now. It would be greatly promoted, if the markets in countries to which slaves are yet transported, were closed to this traffic. If these unhappy victims of lawless violence could not be sold, they would not be bought. Let a general effort be made with the Spanish, Portuguese, and Brazilian governments, to induce them to act vigorously in this matter, by judicious municipal regulations, faithfully executed; and a powerful means of success will be put in motion, without "breaking down the great principles, which now stand in its way."

That the efforts to suppress the slave trade may be rendered successful, without the adoption of this obnoxious measure, is evident, from a suggestion in a London journal, which, with just feeling, seeks to avert the impending consequences of this claim of search. This journal proposes, that an officer of the British and American navies shall reciprocally sail in one of the cruisers of the respective nations, and that such officer shall exercise the right of search in the vessels of his own country, thus ascertaining their character and objects, and seizing them when guilty, without any violation of the rights of sovereignty. We do not stop to examine this proposition we merely allude to it, to show that in a spirit of accommodation, means may be found to reconcile all avowed objects, with national dignity and independence. Such a plan would possess one advantage. It would be truly reciprocal, whereas the proffered power to search is but the mockery of reciprocity towards the United States whose institutions will never permit impressment, as a means of manning their navy. While, therefore, the British officer, enters to search

and impress, and the American officer enters to search, the inequality is too glaring to need illustration.

But after all, what kind of philanthropy is that which seeks, not merely to put down the African slave trade, but to put it down by the employment of one means among many, and which means, if persisted in, as threatened, will as surely involve the two great nations in war, as to-morrow's sun will rise upon both? And who can tell the issue of such a war, not merely to the parties themselves, that we shall not touch, but to the civilized world? Who can tell the question of maritime right, which will rise during its progress, and of maritime wrongs which will be inflicted? Who can tell how soon its sphere will be enlarged and the oppressions of Africa be lost sight of, in the struggles of Europe and America?

It is strange indeed, but so it is, that one of the modes proposed for the liberation of the negro, from the traffic of his flesh and blood, will necessarily lead to the bondage of the American seamen, where his flesh and blood are not indeed sold, but where they are taken without price, and may be swept away by the cannon of his own country. "When they doubted, they took the trick." Words which all Americans should grave upon their hearts. We may safely appeal to any generous Englishman and Frenchman, and ask what would be their sensations if told, "yes, we do seize your citizens, we will seize them; when we doubt we take the trick." Let each answer for himself: and that answer will disclose the feelings of the Americans; for this trick is a man, an American citizen. By and by after law shall have worked its way far enough, the trick may become a French citizen; and what sort of a struggle will come when that step is taken?

But should the United States yield to this claim, what security is there for them, or for nations like them, interested in the freedom of the seas, that it would not be followed by another and another pretension, till the British flag rode triumphant over the waters of the earth? How far is to be pushed this crusade of benevolence, which would involve east and west in one common calamity, in order to attain, in its way, an object which must come, and that speedily? These are significant signs abroad, that this is but the commencement of a system destined to a wide extension. Already the project has been publicly discussed in England, of putting a stop to slavery, by putting a stop to the sale of its products. It has been supported in the journals, and advocated, we believe, in Parliament. The scheme has not yet ripened into a plan. But benevolence is sometimes shrewd as well as active, and the proposition so far, is merely to interdict the sale of these products in England; yet who can tell how soon the question may enter, in an improved form, into the maritime code of nations? It would be but another step, and although it might be accompanied by another struggle, leading to universal war, what cares the philanthropist for this? Law would work its own way. Slavery is wrong, as well as the slave trade. We cannot enter upon the territory of another nation to suppress it. But we will seize its products upon the ocean. They shall become contraband of peace. No cotton, rice, coffee, sugar, nor tobacco, not the product of free labor shall be lawful freight. And thus the object being just, the means must be just also.

But here we stop the discussion, leaving every reflecting man to draw his own conclusions. Most sincerely do we hope that Lord Ashburton carries out, to the American government, some modified proposition it can accept. But we freely confess, looking to the pretensions of both parties, and knowing the feelings of our countrymen, that we do not see upon what middle ground they can meet. Our fears are stronger than our hopes; and sad will be the day when two such nations go to war. Even if England were clearly right, as in our opinion she is clearly wrong, she

might forbear much, without any imputation upon her honor. She has won her way to distinction by a thousand feats in arms, and what is her better title to renown, by countless feats in peace. Triumphs of genius, of skill, of industry and of enterprize, which have gained her a name that the proudest may envy, and that few can hope to equal. She has given birth to an empire in the west. An empire whose extent and duration it passes human sagacity even to conjecture. There are planted her laws, her language, her manners, her institutions. A thousand ties of interest unite these kindred people. Let England cherish this as her most glorious work. But let her recollect, too, that a spirit, equal to her own, animates the republic, and though she may be crushed, she will not be dishonored.

Congress.

IN SENATE, THURSDAY, March 24.

Mr. MANGUM introduced a bill to provide for establishing naval schools, and for other purposes; which was read a first and second time, and referred to the Committee on Naval Affairs.

Mr. BAGBY submitted the following resolution, viz:

Resolved, That the Committee on Military Affairs, be instructed to inquire into the propriety of erecting fortifications on the east side of Dauphin island, for the protection of the city and harbor of Mobile.

Mr. KING said that this site was once selected and included in the classification of fortifications to be built under the direction of the Engineer Department. The erection of a fort was commenced there, but, from some cause, was discontinued; and an impression now prevailed among intelligent officers, and others, that to defend the port of Mobile, in case of a hostile attack, it was necessary that a fort should be erected on Dauphin island. He made this statement, in order that the attention of the Committee on Military Affairs might be called to the importance of the subject indicated.

The resolution was then adopted.

Congressional Documents.

PAY AND RANK OF ENGINEERS OF STEAM-SHIPS OF WAR.

Documents submitted by the Chairman of the Committee on Naval Affairs in relation to the employment of engineers in the navy, &c., March 8, 1842.

Mr. WISE, from the Committee on Naval Affairs, submitted the following documents, to accompany bill H. R. No. 253:

NAVY DEPARTMENT, February, 17, 1842.

SIR: As the steamer Missouri and Mississippi are now ready for sea, it is of the utmost importance that some legislation should be had in regard to the employment of engineers. At present there is no authority to enlist them *eo nomine*, and of course they can be employed only under some other name. Their pay is unascertained, and dependent on private contract; and their rank in the service, and their position in the ship, are equally undetermined. This subjects the Department to great embarrassment in the movement of these vessels, and renders it very difficult to place them in an effective condition.

I would also remark that the Department has no authority, except what is merely implied, to establish depots of fuel, so necessary for these vessels.

I also respectfully invite your attention to the accompanying copy of a letter from Captain Conover, which is one of very many applications showing the importance of an increase of the marine corps.

At present it is impossible to comply with them, for want of the requisite number. The public property, amounting to many millions, is endangered,

and the naval service greatly embarrassed, for want of sufficient marine guards.

I am, with great respect, sir, your obedient servant,
A. P. UPSHUR.

Hon. HENRY A. WISE,
Chairman Committee Naval Affairs, H. R.

NAVY COMMISSIONERS' OFFICE,
January 27, 1842.

SIR: The Commissioners of the navy have the honor to refer to their letter of the 11th ultimo, respecting the qualifications and appointments of engineers for the navy, as they may be required to perform service in the steamers now preparing. Finding that they did not at that time mention the compensation to be given to the different classes, they take the liberty of suggesting on this, as the most fit occasion, the following, as the rate of pay for them and their assistants.

| | |
|--------------------------------|--------------------|
| Chief engineers to have in the | |
| first class steamers, | \$1,500 per annum; |
| Do. do. second class do. | 1,200 " "; |
| First assistants - - - | 900 " "; |
| Second do - - - | 700 " "; |
| Third do - - - | 500 " "; |

with a ration for each. The Board would also represent, that as there will be steamers of large and small sizes, chief engineers should be appointed to those of the first and second classes only. Those of smaller rates or classes should have a first assistant instead of a chief engineer for them. The number of assistant engineers, of each class, to the steamers of different sizes, to be hereafter a matter of regulation. It may be proper here to remark that, for the present, a chief engineer and six assistants have been assigned to each of the steamers Missouri and Mississippi.

I have the honor to be, with great respect, sir, your obedient servant,

L. WARRINGTON,

For the Board of Navy Commissioners.

Hon. A. P. UPSHUR,
Secretary of the Navy.

SHOAL IN BOSTON HARBOR.—On the 4th instant, the barque Baltic, Capt. Gregory, on entering this harbor, struck on a ledge near the Lower Middle Ground, and sustained considerable damage. This shoal is not laid down in any of our charts, and its position is indicated by no buoy! although the U. S. Revenue cutter Hamilton, Capt. Girdler, it has been ascertained, struck upon it several years ago. Capt. Sturgis, the present commander of the Hamilton, has recently, in accordance with the instructions of the collector, examined this shoal—which it seems consists of a ledge of rocks, extending about one hundred feet east and west—on which there are about six feet of water at low tides. It lies about one hundred fathoms south-south-west from the Upper Buoy on the Lower Middle.

Other vessels have recently struck upon this ledge. A schooner from the South went on it on the 18th instant, and sustained some damage. And it will be seen by referring to our marine head, in this day's paper, that the barque Columbia, from New Orleans, while coming up the harbor last evening, in the storm struck upon the ledge, and received much damage.

The collector of this port, of course, has no authority to place a buoy upon this danger—but he will doubtless, without delay, take measures to direct the attention of the General Government to the importance of making an immediate appropriation for this purpose—and, in the meantime, in anticipation of the action of the Government, a buoy will probably be placed on the ledge by our insurance companies.—*Boston Mercantile Journal.*

WASHINGTON CITY.

SATURDAY, APRIL 2, 1842.

The present number has been delayed upwards of four weeks for want of means. Officers of the army and navy, who desire to see the Chronicle prosper and appear punctually, must support it more generally than they have done. Good wishes avail nothing.

It is not often that we ask particular attention to Communications that appear in our paper; but we cannot forbear inviting a careful perusal of the remarks of our correspondent "Q" in the present number. To our apprehension, they contain incontrovertible truths and sound deductions, deserving the serious consideration of all who regard their country's welfare. We hope our correspondent will continue his favors.

A Medical Board has been ordered to convene in Philadelphia on the 2d of May next, for the examination of Assistant Surgeons for promotion, and of candidates for appointment, in the Medical Staff of the army.

The Board is composed of
Surgeon T G MOWER, *President*,
Surgeon H A STINNECKE, }
Asst Surgeon J M CUYLER, } *Members.*

Gov. YELL, of Arkansas, seems to have been in no very amiable mood; nor over courteously disposed towards the Secretary of War, when replying to his letter of the 31st January, an extract from which we published last week.

The Governor addresses the Secretary simply as "John C. Spencer," without giving him his official title, or using the common term "Hon." This is decidedly in bad taste and worse temper, and nothing will be gained by it in the estimation of reflecting men.

In concluding, he omits the usual though unmeaning phrase, "respectfully," or "very respectfully," "your obedient servant," and limits himself to the words "I am, &c." This may be good manners in Arkansas, but it would not be thought so here, or in any refined society; but the Governor and his friends may say, "*de gustibus*," &c. and so we take leave of him.

ARRIVALS AT WASHINGTON.

March 24—Lt Col R E De Russy, Engr corps, Fuller's
Lieut G P Field, 3d Infy, do
Lieut A A Humphreys, Top Engrs, do
Surgeon B Randall, Fuller's
Paymaster D Randall, H K Randall's
28—Asst Sur J R Conrad, Brown's
Lieut Geo Lincoln, do
Capt S B Dusenbery, Gadsby's

PASSENGERS.

SAVANNAH, March 21, per steampacket Wm Gaston, from St Augustine, Lieut Geo Taylor, 3d arty U S A. Per steamboat Col W S Harney, from Pilatka, Capt J McClellan of the army, and Lieut A A Humphreys, of the army.

CHARLESTON, March 22, per steampacket W Seabrook, from Savannah, Gen. A. Eustis, of the army, and lady, Capt McClellan and Lieut Humphreys, of the Top Engr's. March 23, per brig Hayne, from Indian Key, P Mid A H Jenkins, of the navy.

NEW ORLEANS, March 17, per steamboat Southerner, from Mobile, Major W H Chase and Lieut W H Shover, of the army. March 20, per ship Soldan, from Boston, Capt R S Dix, of the army, and family.

SAVANNAH, March 23, per steamboat Gen Clinch, from Pilatka, Dr J B Wells, Capt A C Myers, and Lieut G Lincoln, of the army.

CHARLESTON, March 24, per steampacket Gladiator, from Wilmington, Comm'r R S Pinekney, of the navy. March 25, per steampacket C Vanderbilt, from Wilmington, Capt G G Waggaman, of the army.

Unpaid letter refused.—CLEARFIELD, Pa, March 21, addressed to Philadelphia and forwarded.

Communications.

NATIONAL DEFENCE.

PROBABILITIES OF A WAR WITH ENGLAND.

It is urged that our interests are at last become so interwoven, that the question of a resort to arms cannot admit of a moment's consideration from this reasoning and peace-loving age. But for our own part, we must confess, that we have looked upon these interests, upon the growing intimacy between the two countries, as a cause of itself which might ultimately lead to a war. For whenever an intercourse, relations of trade and traffic, are once established, even between individuals, it is natural to expect that difficulties may arise; and such in effect must be the consequence of similar relations between bodies politic, or nations, so long as they must be regarded as moral persons in their modes of action as well as in their obligations. The differences that occur between individuals are brought before the proper tribunals for adjustment, very possibly to the detriment of both their estates; and it must first be shown that bodies politic have grown wiser than the parts of which they are composed, before we may conclude that they will not also bring up their question of rights before the last, the highest tribunal; although the decisions of that tribunal may sweep their commerce from the seas, drench their fair fields in blood, and heap their fine towns in ruins. The wars of England, in India and China, were purely the offspring of her commercial relations established with those countries. The graspings of commercial cupidity of the one party led to resistance with the other; and those nations, being ignorant of her power, that power which is sufficient to awe some of the better informed States of Europe into a submissive compliance with her wishes, dared to resist, and appeal to arms. The poor Indian will have learned by this time, in whatever part of the world he may be found, that an intercourse with the Anglo-Saxon race is not well calculated to redound to his interests; and such must be the consequence in a greater or less degree, with whatever nation or people that intercourse may be once established. We, it is true, are not ignorant of the vast power and resources of England, but we are too

proud—too brave—too large—to be awed by them; we are too independent to rely upon her for our commodities—too enterprising to be overreached by her in trade—too careful of our interests to allow a balance against us; and unless she can traffic with us to a certain advantage to herself, which were almost surely a disadvantage to us, difficulties of some kind must necessarily follow. We do not pretend that any such differences have yet arisen, as to endanger the relations of peace existing between the two countries; but it must be remembered that the intimacy of our intercourse is comparatively of very recent date, scarcely ten years having relapsed since a half column of a newspaper was deemed amply sufficient to convey to the British community, on the arrival of our packets, every thing of importance with regard to the politics and commerce of America. It is certain, however, (for a simple instance) that with the prospect of supplying her manufacturers with cotton from her own dominions, it is the policy of England to destroy slave labor in the United States; and as it respects the probability of her attempting to carry out this policy, let her recent negotiations with other powers of Europe, and the grounds lately taken by her on this subject, be the criterion of those who would fondly persuade themselves and others that the elements of war are not already at work.

The exciting topics of international dispute, that have unfortunately risen and multiplied upon us, have created much belligerent feeling on both sides of the water, the tendency of which, it must be allowed, is not either to produce or maintain a peaceful state of things, although there should be no other causes operating to the contrary. Vice, says the moralist, loses its deformity by our becoming familiarized with it; and it is even thus with the Gorgon terrors of war—we may at last talk and print ourselves into such a familiarity with them, that reason will finally lose itself amidst the general excitement, and the consequence will be, that those who are the most peacefully disposed will by degrees be led to adopt the doubtful issue of a war, the idea of which at the commencement only served to fill them with horror. All this talk that is continually dinning in our ears, all this newspaper matter that is brought before our eyes and swallowed down with our coffee, about a war with England, are but the words from which we are to proceed to blows; they are but the lashing of the tiger's tail, every wave of which rouses his courage and wrath to make the destructive leap.

We need not revert to the history of the ancient empires to show that the same principle which led to their successive overthrow, is still in operation among the present nations of the world. It is an eternal principle, established throughout all the works of animated nature, prevailing in communities as well as in individuals. It is, in short the principle that tolerates no superior, and it is now giving rise to a great question, a question of superiority between England and the United States, which is now every

day rapidly advancing to an issue. Every new farm brought under the plough, every new canal or railroad opened, every new vessel launched, every new seminary of learning established among us, increases our power, and insensibly though surely bearing us on to the first place in importance among the nations of the earth. Those who flatter themselves that England will resign this place to us without a struggle, will have read history in vain; and to pretend that this struggle is not to be one of arms, is to assume a nearer approach of the millennium, than the world is generally prepared to allow.

But there is a question which the United States have yet to settle, not with England only, but with the whole world. It is the question of democracy, of natural liberty, of the equal rights of man. The light of our institutions, which faintly dawned but a few centuries ago upon the aristocratic darkness of the old world, is now beaming broadly and steadily down upon the peasant's hut, which reflects and re-reflects the welcome rays throughout the land. Already has it brought to light many chinks and crevices and dark corners in the sombre fabric of English laws, which the voice of the awakened people has boldly and successfully demanded to be filled up and removed. England's aristocracy has yielded and yielded, till at last they can yield no more. The cry, however, is still raised; the *people* still knock at the doors of the palace, and they will knock till no other policy will be left for the English government to pursue, but to drown the din in the still greater din of a foreign war. That war must fall upon our free institutions, and the powers, with which England has recently leagued herself, will stand ready to espouse her cause. It is a common one with them, that of monarchy; for the very next great martial strife in Christendom, whatever may be its origin, must ultimately settle into a contest between kings on the one hand and the people on the other. England has once taken the lead in fighting the battles of monarchy, and, from her position, must do so again. If then the monarchical powers of Europe are to be arrayed against us, it becomes us as the disciples of liberty, to say nothing of our national character, to have some regard to the military preparations necessary to meet the coming conflict. What are these preparations now? The genius of war in front of the Capitol frowns defiance towards Europe; and would that the military state of the country did the same. Are our sea board defences like those of Malta which turned the scale in the great religious contest of the world—her bristled battlements beating back the assaults of the legions of the crescent, while they bore aloft the cross forever? Are our battlements prepared to meet the great political contest that must soon be decided? Are they ready to beat back the armies of monarchy, and to bear up triumphantly liberty's fine banner to the free airs of Heaven.

We do not imagine that either of the causes which we have above enumerated, is sufficient of itself to

lead to an immediate rupture of the ties that now bind the two countries together; but we would ask those who strive to lull the fears of the people into an undue security, to ponder well before they draw their conclusions; to trace the lines of all these causes, and see how long it can well be before they meet in one common point, resulting inevitably in war. That point, although it may not be immediately near, cannot be far distant; and when we look at the state of our country, her financial difficulties, her prostration of strength, her utter defencelessness, how can we lay the unction to our souls that slow years will yet lumber peacefully along to the past as they have done, before the storm will burst upon us? Indeed, one of the last measures towards maintaining peace, usually observed by nations before the declaration of war, has already been taken by England. An envoy extraordinary is already on his way to our shores, with full powers to adjust all the differences between us; but if he fail in his negotiations, a case not at all improbable, why, then war, it seems to us, remains as the only alternative. As it respects the character of this envoy, in regard to the peculiar relations in which he stands to America, it appears to us not so well calculated to conciliate matters, which would seem to be the consideration with England that dictated the choice, as it is, in case of a failure in his negotiations, to represent her in the most favorable light to the eyes of the rest of the world—to represent her as the reasonable, the moderate party, while we are the unreasonable party upon whom all the odium of the war, if it must come, must fall.

War must come—that is our opinion; and whether it be sooner or later, one truth is clear, at least, to military men, that none too much time is allowed to furbish up our rusty blades, and make ready for battle. The statistic gatherers of England, who have been busily at work among us for several years past, have rendered her as familiar with our resources as we are ourselves; and, indeed, with respect to their military bearing, even more so. All the elements for forming the basis of military operations against us, or even for forming those on our part against herself, such is our lethargy on this subject, are probably more ready for combination with her statesmen than with ours. The condition of the powers of Europe has undergone great changes among themselves, as well as in respect to us; transatlantic steam navigation has brought us as near to their shores in a military point of view, as Austria is to France; one power has advanced to a high degree of importance, and another sprung up upon our confines; the steam ships of England have all but surveyed the inlets to our defenceless harbors, while in every consideration, as it regards these great changes, our military establishment and state of preparation for war remain almost the same. Our sea board fortifications should never have been abandoned; it was poor policy, miserable economy. The infantry soldier might as well be separated from his musket, and then be ex-

pected to handle it dexterously in the defence of his country when the exigency called, as the artillerist from his fortress. It cannot be denied that our fears of a large army have led us to the other extreme—from an army too large, to one that is entirely too small. That we have overrated our powers, the Seminole war alone should be convincing proof. Instead of sending regiments into the field, as we should have done, we undertook to quell the disturbances there by the preponderating influence alone of our national vanity. At all events, it is difficult to see what other power was first brought in play; for of troops, they were comparatively as nothing. The result is before the world. We once saw a letter from a Governor of Alabama, requesting the presence of a company of 56 men to overawe the whole Creek nation—that nation which, not long after, demanded the serious attention of a large army. But notwithstanding these rebukes to our vain pride, we seem to have irrecoverably fallen into that fatal delusion in which Pompey declared, while Cæsar was in but a few days march of the Capitol, that by a stamp upon the ground he could bring forth helmed warriors to the defence of the liberties of Rome. When fleets of war steamers are already hovering upon our coasts, then Congress too may wake, and like Pompey stamp, and call aloud for garrisons for our coast defences—but will they come? Let the cracked monuments before their eyes—let the shameful fields of Bladensburg answer. When should we prepare for defence? when contributions shall have been levied upon our towns, sufficient for maintaining the war on the part of the enemy? Is this wisdom? If it be, powers of reason forbid that it should be uttered in the streets! *Quem Deus vult perdere, &c.*

We shall not here enter into a dissertation on the value of discipline, or in other words, on a due state of preparation for war; for we should probably be only laughed at by our self-sufficient countrymen for our pains; but we can assure our fellow citizens, from some little experience, that self-sufficiency is not the quality the best calculated in the world to subserve the interests of the country in the hour of need and danger. It is rather the very quality that leads the militia-man to believe, after hearing one or two discharges of the enemy's musketry, that discretion is the better part of valor, after all.—There are probably very few of our citizens, whether they be colonels or not, who do not feel themselves, each a host in himself; and can therefore see no reason why he should act in concert with a host for the defence of his country. Yet, without concert, without discipline, we might as well attempt to break through a line of British regiments, as to concentrate the sun's rays with a concave lens. The perfect state of discipline in her troops is the true secret of the vast power of England; let her but disregard this, and the hair of the giant is shorn at once. We cannot allow this opportunity to pass, without one more illustration of the high importance of discipline. The

troops, whose achievements gained the greatest glory to our arms during the last war, were composed of men who had been drilled almost incessantly, month after month; and these men were not taken as recruits either, but they were picked and culled from the fragments of one or two campaigns. Wherever Scott's brigade was found, at Chippewa, Lundy's Lane, or Fort Erie, there were exploits achieved, worthy of record on the pages of our military history—there were exploits that gave eloquence to the words of our commissioners at Ghent.

It is but justice to add, however, that the subject of national defence has, for the few past years, excited a considerable degree of serious attention, in various quarters of the Union, both among individuals and communities. Several of the States have attempted to devise measures on this subject, and among others, those proposed by the State of Pennsylvania are the best we have seen; but, after all, the efforts of this kind to be useful must naturally proceed from the General Government; and unless the subject is taken into consideration in that quarter, we fear that all other attempts will prove futile and unavailing. It is for Congress, we think, not only to point out how the militia are to be organized and disciplined, but to see that this is done; and until this is accomplished, the military condition of the country will remain worse, if possible, than the present state of her finances.

As it regards our regular army, no one will maintain, we imagine, that it is large enough for the purpose of national defence, or even for preserving peace at the present time, on our frontiers. If it be, why then, we would ask, why is our sea board almost abandoned?—why is that door left open to invite foreign invasion? It is our opinion, and not ours alone, but of many others the ears of whose judgment have not been deafened, whose eyes have not been blinded, by the bootless strife in the halls of the Capitol, that an army of twenty thousand men, full and complete, is the least possible force that the interests of the country now imperatively require. It should be a subject of some consolation to the patriot, that while Congress has been engaged in the all-absorbing contest of party conflict, she has yet found time to turn her attention towards the improvement of the navy; and we may hope, that her regards may next be drawn towards the other great arm of national defence—the army. Q.

MILITARY TACTICS.

MR. EDITOR:—There are very few officers of the army not too old for efficient service, who have the experience of war. The army are for the most part at isolated stations, where during a long peace they receive no other instruction, and generally make no other preparation for the duties of a state of war—which *must* come—than is to be found in a thin volume of tactics. They learn on a small piece of remarkably even ground, to wheel to the right and left.

to form and deploy (very small) columns! As well will the first lessons of a schoolboy who falters forth,

"Small streams from little fountains flow"

alone prepare him to make the eloquent, efficient speech of a statesman.

There is a great deficiency of military works in the United States. In Great Britain the same complaint has been made; they have borrowed from the French, and even now can only boast of theoretical essays on the strictly scientific branches of the art of war; and for these, as is eminently the case with us, they are indebted to their military academies. There was a French work of very general information on the art of war, translated from the French for the military academy, but it is in a great measure confined to fortifications. But where is there, in our language, a practical work upon the management and the duties of troops in a time of war. By mere chance I have had an opportunity of studying such a French work, called *Cours d'Art et d'Histoire Militaires*, and an abridgment of the same, a text book for the use of the officers of the royal school of cavalry. Well may the author use the following language (in his introduction to 2d part:)

"It is necessary, to proceed methodically, first, to make known the general principles by which troops of all arms are moved, and led to action; for it is from these principles that are deduced those that should govern the conduct of simple detachments; and the service of out posts. These operations require particular rules and minute precautions, because the least omissions may cause them to miscarry; and, that notwithstanding their little apparent importance, they sometimes powerfully influence the fate of an army. Unfortunate is that army whose light cavalry is commanded by officers of little experience, or who, at least, have not good theoretical information; every day will its movements be paralyzed by their ignorance, or by the measures of the enemy; its posts badly placed, its reconnaissances badly made, will expose it without ceasing, to all the reverses which a vigilant enemy will prepare for it. We will enter then upon all the details which can facilitate a service so important, and which, though it may seem to belong to the light cavalry, officers of cuirassiers and dragoons should not forget that they too may be called by the chances of the service either to enter this arm, or to perform its duties."

From this abridgment (a work of 300 pages) which, though not near so full and satisfactory, or perhaps well written as the original work, may become more generally useful, I have translated an extract; it is probably not a fair specimen of the volume, or of its general character; but such as it is, I place it at your service. Of all arms, the cavalry have the fewest works to refer to, the fewest means of instruction; and has been least known and practised in our army.

AN OLD CORRESPONDENT.

FORT LEAVENWORTH, March 1842,

OF BATTLES.

So soon as the advance guard perceives the enemy, it makes its dispositions for battle,—either to repulse him if he advance (and in this case it rapidly seizes a good position,) or itself to attack, in order to give time for formation to the troops in rear, and to deceive the enemy as to the true point of attack and the plans of the army. The general-in-chief moves forward, observes the enemy, and sends his orders to his columns on their march.

Those of infantry are deployed by masses of battalions, regiments, or brigades, upon the ground assigned to them, and are usually formed in two lines; the light cavalry and artillery protect this operation. Troops, formed in a single line, would be too easily routed; and the human heart demands the support of a second; an interval is left between the two lines, such, that the balls which have passed over the first, shall fall short of the second; from three to four hundred paces is the usual distance; when a second line cannot be formed of infantry, it is formed of cavalry.

When the battle opens, the first line infantry is deployed; but not in all its parts; it depends upon the ground, the plans of the general, and the dispositions of the enemy: the troops which are to fire must be deployed, and those that are exposed to the fire of the enemy's artillery; but those which are to march,—which are sheltered from fire, or are exposed to be charged by cavalry, are held in columns more or less deep. The second line is more rarely deployed than the first; it is better held in many columns, because thus it can be easily moved, the whole, or any part of it to points which require support, and the first line can retire through its intervals without causing disorder; nevertheless those parts of it which suffer from the fire of the enemy should be deployed. The wings of both lines should be supported upon obstacles, natural or artificial; or a column of troops should be posted to sustain a wing that is unsupported (*en Pair*;) a division is commonly posted in one line; but in mountainous countries the rule is not invariable.

Cavalry, which cannot fight on all ground, has not, like infantry, a fixed place in the order of battle; formerly it was placed almost exclusively upon the wings; this disposition, founded upon the importance of taking an enemy in flank, when he marches upon a defensive position, or even when himself on the defensive, permitted it besides to move forward without incommoding the infantry which fought in a contiguous line; but these reasons are not good; the artillery reaches the cavalry in the first or second line, and causes it much loss before it can charge; and the infantry, fighting often in columns, admit of the cavalry passing its intervals. This arm too, without power if motionless, must uncover the flanks of the infantry which it is so necessary to protect. Thus then when the nature of the ground does not constrain its position to certain points, it is better to place it in rear of the infantry in a position whence

it can be readily moved in any direction, and there results the advantage of not exposing it but when its presence will be really useful; of surprising the enemy by its sudden appearance, and depriving him of the opportunity of opposing its movements by counter-mancuvres; this cannot be the case if cavalry is placed in line where its movements and designs will at once be seen.

Though it be wise to unite cavalry in great masses to make decisive charges, the infantry should not be left wholly unfurnished with its aid; and Prince Charles recommends the placing of some light squadrons in rear of the first line, opposite the intervals of battalions, that they may throw themselves upon the enemy when disordered by the fire.

If the nature of the ground make it necessary to place the cavalry upon the wings, it is useless that it should be abreast of the first line of infantry; for it is necessary that it should move forward two or three hundred paces to make a charge; it would commence then the battle before the fire of the infantry, or perhaps even of the artillery could produce an effect upon the enemy; this would probably occasion it a great loss, and render that fire useless. By placing then the cavalry abreast of the second line, it would not be too distant to act promptly on the flank of the enemy, whether moving to the attack, or on the defensive.

The shape of the ground, which is of such controlling importance in modern warfare, has sometimes placed the cavalry in the centre of the order of battle; a dangerous disposition; for if beaten, the two parts of the line which it united can be taken in reverse and destroyed.

JOMINI considers the order of battle most suitable for cavalry, to deploy the fourth part of it, to hold the half of it in column on the right and left, and the other fourth in reserve; General de Preval is very nearly of the same opinion. It appears then natural to deploy a part of the cuirassiers, or dragoons, to place the other in reserve, whilst the light cavalry shall be on the wings. Frederick, who was perfect at fighting his cavalry, differs but little from this arrangement, in a regulation which has recently been brought to light. Finally, great charges of this arm, says Napoleon, are proper at the opening as at the end of a battle; and it shows ignorance as to its employment to confine its appearance to the close of an affair.

Artillery is placed according to the convenience of the ground, the dispositions of the enemy and the views of the General; as with cavalry no place can be assigned it in the order of battle, and we can only repeat here, what has been said in the lesson upon its tactics.

In rear of the lines, at advantageous points, whence movements can easily be made, are placed in reserve, and in many columns, good troops of all arms,—the élite of the army; such as the guard of the sovereign,—united companies of grenadiers,—regiments

of cuirassiers, batteries of 12 pounders, and light artillery; in a word, troops, whom the sight of the danger and destruction of others, cannot intimidate. Good reserves powerfully influence the moral of the soldier who, if he feel himself supported, will throw himself blindly upon danger. Other still more important motives forbid that the formation of reserve should ever be omitted; the wisest combinations of war are often defeated, and troops must be held in hand to repair the misfortune; there is, besides, almost always in actions a moment when victory is balanced, and when the exhausted parties are incapable of great efforts; if at this moment fresh troops make their appearance, they necessarily turn the scale and the victory will be with him who employs them last. They too will reap its fruits; for the conquered worn out with their exertions in battle, cannot escape from the troops of the reserve which pursue them.

Temporary hospitals are established during the battle, in rear of the divisions, by attendants, who should choose the most sheltered positions; the wounded are carried there, either by their comrades,—which occasions much disorder,—or by soldiers appointed to that duty (*d'administration*). They there receive their first succour, and are then carried off in the wagons of the army, or of the country people, to places appointed for forming hospitals.

The parks of artillery are brought near the army to keep up the supply of ammunition, and replace the materiel destroyed by the fire of the enemy; there is a continual communication with them; and after a defeat it is often difficult to save them.

There is a point in all positions, the capture or preservation of which may involve the fate of all the rest; it is called the *key of the position*, and is commonly the point which commands all the others. But there evidently may be several of these points, particularly if the ground is much broken, upon an extensive field of battle. It is upon these points, quickly perceived by the coup d'œil of the general in chief, or the generals charged with the partial attacks, that the principal efforts of the assailants should be directed; and it is upon them that the adversary accumulates the most obstacles, and stations his best troops. But the point, too strong perhaps for a direct attack, may possibly be turned, and this manœuvre should certainly be attempted. It is dangerous when made in view of the enemy, and is exposed to a defeat; its success evidently offers more advantageous results than those produced by an attack in front.

There is, finally, a point in the general position occupied by an army, whatever may be its extent, the occupation of which may give the greatest results. This we call the *strategic point*; it may be the key of the position, but is not always the same; for the capture of this last may only lead to partial results; that of the other are always general. The strategic point is generally at the centre, when we attack an

army which occupies extensive positions ; because we separate the army into two or more parts, which are thus isolated and overwhelmed. It is thus that Bonaparte fought the Austro-Sardinian army in 1796 at Millesimo and Montenotte in the Appenines ; it is at the extremity of one of the wings, when the army occupies a confined position ; and it is always *at that wing, the defeat of which will lead the attacking army with most certainty upon the enemy's line of retreat, without exposing too much its own communications.*

The direction in which the retreat is to be made is generally indicated before the battle to the generals commanding the great divisions of the army ; and when retreat becomes indispensable, orders are given for the formation of columns of march, and the roads which they are to take are pointed out. The officers of the general staff have beforehand examined the positions which the country in rear offers, and there they direct the troops ; but these measures, which require much order and coolness, cannot always be executed on account of the confusion which often seizes the best heads, the precipitation with which the soldier seeks to escape from danger, and the vivacity of the enemy's attacks. A rear guard is immediately formed of corps which have suffered least ; it is composed of troops of all arms, and especially of cavalry, which at this critical moment should devote itself. The rear guard halts at all defiles, and at every position that offers any advantage to check the enemy, and hinder him from pressing too closely the column which it covers. It is necessary for this last to carry off its wounded, abandon its baggage, or artillery perhaps in great part unhorsed, gain ground to the rear, and seek a favorable position. It is necessary then, that the rear guard cover all these movements, shield it from a disadvantageous engagement, which the column itself should avoid. It is usual, when a retreat lasts many days, to relieve the corps of the rear guard.

Military men who have never been in battle almost always form a false idea of them, because they imagine an army in rank and alignment, as on a drill ground executing regular fires and manœuvring with precision ; but such is not the truth ; and to form a more just conception of what passes in these great scenes, we should remember that an army which is on the defensive occupies a military position ;—that this position may include woods, villages, and farms ; that a water course may be in front ; that its hills are perhaps intersected by ravines ; that defiles are in front, and that it is flanked by great obstacles, such as the sea, a river, or high and inaccessible mountains. Imagine such a position ; cover it with troops of all arms ; dispose of them on ground that suits them best, and make them occupy every inequality favorable to defence. Imagine then an army which marches to attack this position ; it is disposed in many moving columns which halt, on coming in sight of the enemy ; its skirmishers and light artillery advance and open fire in order to cover

the successive formation of lines, and the reconnaissance of the position ; columns of attack are formed, the artillery is concentrated in batteries, opens fire upon the enemy, and sets fire by its carcasses to the villages which he occupies ; the cavalry is in rear, or on the flanks of the columns, light cavalry may precede them. Here, repulsed columns deploy and check the enemy by their fire ; further off, troops engaged in narrow roads, in vineyards, advance slowly with skirmishers in front to the attack of a village, of which the houses are loop-holed ; suddenly a terrible fire is opened from the windows, from hedges and enclosed walls ; a battery, masked until now, ploughs the column with its balls and throws it in disorder ; the officers endeavor in vain, by their cries to renew the fight ; they halt, some muskets are discharged,—the columns become confused and turn their backs. Some squadrons of hussars instantly deploy from an orchard where they had waited for the favorable moment ; they charge upon the fugitives and sabre them. But a second line advances to sustain them ; it allows them to escape through its intervals, and opens a fire from which the cavalry retires. But this village is the key of the position, and a second attack must be made ; the columns are not so deep ; the difficulties of the ground have been better judged ; they profit by its inequalities to shelter themselves ; sappers are at the head of the columns, who break through the barricades with their axes ; they rush through the openings ; the ranks are confounded ; the last soldiers force on the first ; they fire in close contact, the defenders are bayoneted in the houses ; but a reserve arrives ; the assailants have commenced to pillage, and are in complete disorder ; their officers, foaming with rage, can only collect a small number ; they are driven out in their turn and the enemy has retaken the village. Elsewhere a close column passes a bridge, with supported arms, under a fire of artillery and musketry ; its progress is marked by dead and wounded men. Here, the defenders throw their cavalry upon the assailants ; masses of cuirassiers charge upon squares, ride them down, or are repulsed in great disorder ; a second line comes up to sustain the repulsed troops ; there, corps are held motionless, and await the moment of advance ; we hear their shouts in view of a successful charge, and at the fire of batteries of which they see the destructive effects ; and there are terrific cries from the vanquished and pursued.

The thunder of artillery and the crash of musketry fatigue and deafen the most hardened ears ; the flames devour villages which disappear in whirling columns of smoke ; finally, great masses make a last effort ; generals devote themselves and march at their head ; the sounds are redoubled ; the reserves arrive preceded by artillery of heavy calibre ; its thunders drown all else ; they fight with blind fury, the position is carried, the light cavalry dash forward and charge the disordered troops ; corps of lancers rush upon squares which they are endeavoring to form ; here mas-

ses of infantry force a passage, and are making their retreat; others are sabred or taken prisoners; the sounds of the battle recede,—the field is covered with fugitives who escape in all directions; some corps still preserve their organization in the general confusion, and save the wrecks of the army; night finally favours the retreat, and by degrees all is left in silence.

The spectacle then presented by an army cannot be uniform; broken ground, the fields and houses, the movements of the enemy, cause on various points constant changes in the formation of the troops; human passions too, are excited, regularity is almost always impossible, and that which passes in the exercises of peace, will give of it but a feeble idea.

DISCHARGE OF ALIENS FROM THE ARMY.

The decisions of the Courts are so opposite in regard to the obligation of aliens, who voluntarily enlist into the army, to serve their term of enlistment, that it is to be hoped Congress will pass a law, either allowing or prohibiting their enlistment. At the present time, there is *no law* prohibiting such enlistments; and none, upon which they can be discharged by the civil courts; and yet, such discharges are of frequent occurrence, furnishing popular precedents for the governance of inferior tribunals. The rules and articles of war, enacted in 1776, form the basis of our military code, and in them it is enacted that "after a non-commissioned officer or soldier shall have been duly enlisted and sworn, he shall not be dismissed the service without a discharge in writing; and no discharge granted him shall be allowed of as sufficient, which is not signed by a field officer of the regiment into which he was enlisted, or commanding officer, where no field officer of the regiment is in the same State."

In these articles of war no mention is made of aliens or foreigners; and in every law subsequently enacted for the establishment and organization of the army, there is no inhibition to the enlistment of foreigners or aliens.

Thus the act of April 12, 1785, authorizes the raising of 700 "*non-commissioned officers and privates.*"

The act of Oct. 3, 1787, a like number of "*non-commissioned officers and privates.*"

The act of April 30, 1790, provides that the "non-commissioned officers and privates authorized, shall be *able-bodied men.*"

The act of March 3, 1790, authorizes the enlistment under the denomination of *levies*, a corps not exceeding 2,000, "*non-commissioned officers and privates,*" &c.

The act of March 5, 1792, increases the army.

The act of May 9, 1794, provides that "the number of 764 non-commissioned officers, privates, artificers and musicians, shall be engaged for the term of three years, by voluntary enlistment's."

The act of March 3, 1795, fixes the military peace establishment and allows a premium for the enlistment of "*every able-bodied recruit.*"

The act of May 30, 1796, "to ascertain and fix the military peace establishment," repeats the allowance for enlisting "*every able-bodied recruit.*"

The act of April 27, 1798, authorizes the "voluntary enlistment" of an additional regiment of *artillerists and engineers.*

The act of May 28, 1798, for raising "a provisional army," authorizes the President to "cause to be enlisted a number of troops not exceeding 10,000 *non-commissioned officers, musicians, and privates.*"

The act of July 16, 1798, to "augment the army," provides that each man that enlists "shall be *able-bodied.*"

The act of March 2, 1799, gives eventual authority to the President to raise, "in addition to the other military force," *twenty-four regiments of infantry, &c.*

The act of March 3, 1799, fixing the military organization, &c. requires that all who may be "enlisted for the army of the U. S. shall be *able-bodied.*"

The act of March 16, 1802, reduces and fixes the military peace establishment to *three regiments*, and provides, "that the commissioned officers who shall be employed in the recruiting service, to keep up by voluntary enlistment *the corps as aforesaid*, shall be entitled to receive for every effective able-bodied citizen of the United States, who shall be duly enlisted by him," "the sum of two dollars." This is the only law ever passed, which confines the recruiting service to the enlistment of "citizens of the United States," which was probably rendered desirable in consequence of the very diminutive force of the army, (3 regiments.)

The act of Feb. 8, 1803, provides for the enlistment of "one artificer and *eighteen men.*"

That of April 12, 1808, authorizes an addition of eight regiments without describing the men to be enlisted.

The act of May 3, 1809, provides for the augmentation of the marine corps, by the "enlistment of 185 corporals and 594 privates."

That of Dec. 26, 1811, provides for the enlistment of "effective able-bodied *men.*"

That of Jan. 11, 1812, for raising an additional military force, also provides for the enlistment of "effective, able-bodied men."

That of April 8, 1812, for the "enlistment of 15,000 non-commissioned officers, musicians and privates."

That of Jan. 20, 1813, provides for the enlistment of "effective, able-bodied men,"

That of Jan. 29, 1813, allows to the recruiting officers a premium "for *every person* enlisted by them into the service," and prohibits only persons under the age of twenty-one years.

The act of Jan. 27, 1814, allows the enlisting of "every able-bodied man," &c.

That of Dec. 10, 1814, authorizes the enlistment of "*any free, effective, able-bodied man.*"

That of Feb. 8, 1815, authorizes the colonel of ordnance to enlist as many mechanics, artificers and laborers, as the public service may require.

That of May 2, 1833, provides that "*every* able-bodied musician or soldier," who shall re-enlist, &c. and prohibits the enlistment of persons who have been convicted of any criminal offence.

And the law of April 5, 1832, for the organization of the Ordnance Department, authorizes the enlistment of 250 men.

But the latest law, "to increase the present military establishment," passed on the 5th July, 1833, requires by its 29th section, that every man re-enlisting shall be "*able-bodied*," and nothing more; while by the 23d section "all acts and parts of acts inconsistent with the provisions of this act shall be, and are hereby repealed."

From the foregoing statement of the requisition of all the laws on the subject of enlistments, it is plain, that there is no present prohibition to the enlistment of foreigners, either naturalized or alien, except by the act of March 16, 1802, which inhibition was limited "to the corps aforesaid;" or to the enlistments *under that act*. Every subsequent act not only omits the inhibition, but grants positive authority to enlist "*every able bodied man*," or "*every person*," or "*any free, effective able bodied man*," with only two exceptions, viz: "persons under twenty-one years of age," and "persons who have been convicted of any criminal offence."

The foregoing are believed to be all the laws that relate to the description of men authorized to be enlisted into the army of the United States; and it is difficult to discover upon which of them, the courts rely for authority to grant discharges to enlisted aliens, upon a writ of Habeas Corpus.

This exercise of authority is general it is believed in the courts of New York, and it is but recently that an inferior tribunal at Albany discharged a *laborer* from the Ordnance Department, notwithstanding the U. S. officer exhibited all the military laws relating to enlistments; and a late decision in the court at Philadelphia, where the case of an alien soldier came on for argument before the Court in Bank, the three judges being present, and by which it was determined that the fact of the relator being an alien, was under the laws of the United States, no protection against a claim for service, arising from a voluntary enlistment or contract, entered into by the relator to serve in the army of the United States for a certain term; and the court accordingly (and unanimously) remanded him to serve out his term.

Any regulation of the War Department on the subject was deemed a matter of discipline merely, which could neither make nor construe a law.

The importance of this subject claims the attention of Congress, and it is hoped that this publication may be the means of producing some action upon it.

B.

IRON FORTIFICATIONS.

SUGGESTIONS BY A JUNIOR OFFICER OF THE NAVY.

MR. EDITOR:—To overcome the prejudices of the age and establish new improvements, and bring forward inventions contrary to the established notions of the day, is an undertaking of greater magnitude than any of the fabulous labors of Hercules. Envy, malice, criticism, contempt and persecution, are but a few of the engines brought to bear against the unlucky wight who dares to promulgate to the community a new principle or invention. Copernicus, only established his solar system by passing through the pangs of inquisitorial cruelties. Columbus met with scorn and ridicule while circulating his ideas of a new world; and his reward was envy after his discovery.

A few, very few, years back, and whom could we find so bold as to navigate the ocean in a ship wholly constructed of iron? But now, it is well ascertained, that ships constructed of iron, are cheaper and safer than those made of wood. That iron is more durable than any other material, and requires less repairs than either wood or stone, can easily be shown by a few facts. The iron nails, spikes, and sheet iron covering on and in the great gateway of Carrisbrook Castle, on the Isle of Wight, England, are in a better state of preservation, than either of the wood or stone work of the castle. The iron fastenings of the stonework at Malta, and the ringbolts, subject to the action of salt water, are in a better state of preservation than the surrounding masonry.

We need not go beyond our own doors to prove iron more durable than stone when subject to the action of the weather. How often have we to repair the steps of a house, while the iron railing remains always in good repair? The iron railing around the Capitol, parts of which have been exposed to the weather at least twenty years, yet there is no indication of decay, while the stone in its vicinity has frequently been replaced.

That fortifications can be built of iron cheaper, more durable, in a less space of time, shot, bomb, and fire proof, and in every other respect superior to those built of stone, the writer of this can prove; and he invites scientific individuals to turn their attention to the subject. A fort, mounting one hundred guns, could be built complete, and put up in one summer. To construct one of stone, would be the work of several years. The Pea Patch, which is yet unfinished and in ruins, might be abandoned; a floating fort, constructed of iron, could be placed at a point where the defence of the Delaware river is of more importance, for the sum necessary to complete the Pea Patch. Iron forts could be built of sufficient force to protect the Delaware river from its mouth to Philadelphia. An iron fortification could be built and equipped, on the site of the Rip-raps, before the present one (Castle Calhoun) is half finished. At the narrows, New York, a line of water batteries could be built for about half the sum required for stone for-

BOOK AND JOB PRINTING—
of every variety and description, neatly and expeditiously executed, at the office of the Army and Navy Chronicle, opposite to the Navy Department.

tifications, A twenty-gun battery, of iron, can be so constructed, with furnaces for heating shot, magazines, barracks, and officers quarters, that could in a few days be removed and erected at any other point.

Note by Editor.—If iron can be rendered shotproof, and it no doubt is, if thick enough, why may not fortifications be built of that material, as well as light-houses and churches? We hope the writer will continue the subject.

ARMY.

OFFICIAL

GENERAL }
ORDERS }
No 17. }
WAR DEPARTMENT,
Adjutant General's Office,
Washington, March 26, 1842.

The following revised Regulation, received from the Secretary of War, is published for the government of the Army.

DEPARTMENT OF WAR, March 22, 1842.

ARTICLE LXXVIII, paragraph 1105, "GENERAL REGULATIONS FOR THE ARMY," Amended:

Issues to soldiers waiting on officers will be made on separate returns, and these returns will be entered separately on the "abstract of issues to troops" with the names of the officers employing such soldiers in the column of remarks.

J. C SPENCER.

BY ORDER :

R. JONES, *Adj't General.*

GENERAL ORDERS, }
No 18. }
ADJUTANT GENERAL'S OFFICE,
Washington, March 26, 1842.

The 6th regiment of infantry, now at Jefferson Barracks, will proceed without delay, by the most expeditious route, to Fort Towson. Five companies of the 1st dragoons will be detached from Fort Leavenworth, with orders to proceed, without loss of time, to Fort Gibson. The Colonel and Lieutenant Colonel, commanding the regiments, will report to Brigadier General Taylor, commanding the 2d military department.

The company of the 1st regiment of infantry, now at Jefferson Barracks, will take post at Fort Leavenworth.

The officers in command are charged with the prompt execution of this order.

BY ORDER :

R. JONES, *Adj't Gen.*

GENERAL }
ORDERS }
No 19. }
Adjutant-General's Office,
Washington, March 29, 1842.

The following order, received from the Secretary of War, is published for the government of the Army.

WAR DEPARTMENT, March 28, 1842.

I. As a portion of the country along the Western borders of Arkansas and Louisiana, may become the theatre of active military operations, and as it is desirable on many accounts, that direct communication should be had with the seat of Government in relation to those operations, in the same manner as with the peninsula of Florida, the President directs that Brigadier General Taylor, now having charge of Military Department No 2, assume the command of all the troops that now are, or hereafter may be, ordered to that Department, and that he adopt all proper measures to preserve the neutral relations of the United States, and to afford protection and security to the frontier. He will maintain a direct correspondence with General Head Quarters at Washington, whence he will receive his orders, and where only he will be responsible. Copies of his reports will, as usual, be transmitted to the Head Quarters of the Western Division.

II. The President directs that hereafter all officers of every branch of the service, assigned to duty in the Second Military Department, shall only be relieved, or be transferred through the orders of the General or

other officer commanding the troops in that Department; and when it may be necessary to withdraw any officer of the staff from duty there, the requisite instructions will be given through the Adjutant General's office.

III. Officers of the General Staff, serving in the Second Military Department, will report to, and receive instructions from, the officer assigned to the command of that Department.

IV. The relations existing between the city of New Orleans and the Western Geographical Division, in connection with the exposure of that city to attacks from abroad, render it proper to place it in charge of the General commanding that Division. The President, therefore, directs that so much of the State of Louisiana as lies east of the Mississippi river, shall in future be incorporated with, and form a part of the Western Division.

J C SPENCER.

BY ORDER :

R JONES, *Adj't Gen.*

Military Intelligence.

3d Artillery.—Companies A and F arrived at the barracks below New Orleans, on the 17th inst in the schr Cosmopolite from Cedar Keys. Officers: Lieuts C Tompkins and Van Vliet.

Quartermaster's department.—Major C Thomas has left Florida and repaired to Fort Towson for duty. Capt E A Ogden will accompany the 6th infantry from Jefferson Barracks to Fort Towson.

Subsistence department.—Major R B Lee has relieved Capt J B Grayson at Cedar Keys, Florida; the latter is on duty at New Orleans. Capt G G Waggoner is under orders for duty at Pilatka. Lieut Col Taylor stationed at St Louis.

6th Infantry.—The steamer Meteor, at Jefferson Barracks on Saturday last, from New Orleans, landed Maj Hoffman, Dr McCormick, Capt Anderson, Capt Cady, Capt Dorr, Lieut Hendrickson, Lieut Armistead, Lieut Bacon, Lieut Ernst, Lieut Flint, Lieut Foote, with 350 of the 6th regt U S infantry, just from Florida.—*St Louis New Era*, March 21.

NAVY.

GENERAL NAVAL ORDER.

Officers of the navy, appointed to navy yards, ports or shore stations, are to hold such appointments with the distinct understanding, that they are not to continue for a term exceeding three years; and that they will, during that period, as at all other times, be subject to such orders, as the interests of the service may, in the opinion of the Secretary of the Navy, require.

A. P. UPSHUR.

NAVY DEPARTMENT,
7th March 1842.

Naval Intelligence.

U. S. VESSELS OF WAR REPORTED.

HOME SQUADRON.—Frigate Columbia, Capt. Parker, was spoken, March 19, lat 41, 40 lon 66, 30, from Boston, steerage, E S E.

Brig Dolphin, Comm'r McKean, spoken March 16, lat 36, 20, lon 74, 36, on a cruise, all well.

Ship Falmouth, Comm'r McIntosh, put into Savannah river, March 19, short of hands. The master, E C Anderson, was sent up to the city of Savannah, to procure 30 seamen.

The Revenue Cutter Jackson, Robert Day, commander, from the Charleston station, arrived here several days since, to supply the place of the Jefferson, now engaged in the Florida service.—*Mobile Chronicle*, March 14.

DEATH.

At Watertown Arsenal, Mass on the 27th inst Maj MANN PAGE LOMAX, of the U S Ordnance Corps, aged 55 years—a native of Virginia, and a gallant and accomplished officer.